



**U S Army Corps
of Engineers**
Huntington District

Public Notice

In reply refer to Public Notice No.

Issuance Date: **April 19, 2007**

LRH-2006-612-GMR

Stream:

Closing Date:

UN Trib to Mad River

May 21, 2007

Please address all comments and inquiries to:

U.S. Army Corps of Engineers, Huntington District

ATTN: CELRH-OR-F Public Notice No. (*reference above*)

502 Eighth Street

Huntington, West Virginia 25701-2070

Phone: (304) 399-5210

PUBLIC NOTICE: The purpose of this public notice is to inform you of a proposal for work in which you might be interested. It is also to solicit your comments and information to better enable us to make a reasonable decision on factors affecting the public interest. We hope you will participate in this process.

REGULATORY PROGRAM: Since its early history, the U.S. Army Corps of Engineers (Corps) has played an important role in the development of the nation's water resources. Originally, this involved construction of harbor fortifications and coastal defenses. Later duties included the improvement of waterways to provide avenues of commerce. An important part of our mission today is the protection of the nation's waterways through the administration of the Corps Regulatory Program.

SECTION 10: The Corps is directed by Congress under Section 10 of the Rivers and Harbors Act of 1899 (33 USC 403) to regulate all work or structures in or affecting the course, condition or capacity of navigable waters of the United States (U.S.). The intent of this law is to protect the navigable capacity of waters important to interstate commerce.

SECTION 404: The Corps is directed by Congress under Section 404 of the Clean Water Act (33 USC 1344) to regulate the discharge of dredged and fill material into all waters of the United States, including wetlands. The intent of the law is to protect the nation's waters from the indiscriminate discharge of material capable of causing pollution and to restore and maintain their chemical, physical and biological integrity.

TO WHOM IT MAY CONCERN: The following application has been submitted for a Department of the Army Permit under the provisions of Section 404 of the Clean Water Act.

APPLICANT: Department of the Air Force
88 ABW/CEVO
5490 Pearson Road
Wright-Patterson AFB, Ohio 45433-5332

LOCATION: The proposed project is located on an unnamed tributary to the Mad River and its adjacent wetlands near Riverview Road and Taxiway A on Wright-Patterson Air Force Base northeast of Dayton in Greene County, Ohio.

DESCRIPTION OF PROPOSED WORK: The applicant proposes to place fill material in waters of the United States in association with a drainage improvement project. The applicant proposes to install a culvert and place clean fill material into 0.76 acre of Wetland C 23, which is contiguous with the unnamed tributary to the Mad River. This project would also impact an additional 950 linear feet of the unnamed tributary in association with the same culvert and fill material outlined above. These impacts would facilitate quicker drainage off of the active runway area. The project purpose is to improve drainage in the vicinity of Taxiway A in order to decrease the potential for wildlife strike hazards.

Plans of the proposal are attached to this notice.

ALTERNATIVE ANALYSIS: This project is not considered to be water dependent; therefore, the applicant will be required to show that other less damaging practicable alternatives are not available that would achieve the applicant's goal. No permit will be issued until our review of the alternative analysis clearly shows that upland alternatives are not available to achieve the applicant's goal. As stated above, the applicant has indicated the purpose of the project is to improve drainage in the vicinity of Taxiway A in order to decrease the potential for wildlife strike hazards.

MITIGATION PLAN: To offset wetland impacts associated with the project, the applicant proposes to enhance existing wetlands on the base by removing invasive species from Wetland C-15. The applicant has also proposed to investigate additional wetland creation, restoration and/or enhancement possibilities in other areas on the base.

It is noted that this proposed mitigation is open to comment and subject to change. The Corps will make a determination of appropriate mitigation upon review of all submitted information.

WATER QUALITY CERTIFICATION: A Section 401 Water Quality Certification is required for this project. It is the applicant's responsibility to obtain certification from the Ohio Environmental Protection Agency.

HISTORIC & CULTURAL RESOURCES: The applicant previously conducted surveys of the base. Historic properties were identified; however, the Air Force has determined that no historic properties would be affected by this project. A copy of this public notice will be furnished to the State Historic Preservation Office for their review. Comments concerning archaeological sensitivity of the project area should be based on collected data.

THREATENED & ENDANGERED SPECIES: The project is located within the known or historic range of the following candidate, threatened, or endangered species:

Indiana bat (E)
clubshell mussel (E)
eastern massasauga rattlesnake (C)

The Huntington District has consulted the most recently available information and based on this

information, the project may affect the eastern massasauga rattlesnake. The proposed impact wetland is near a woodland edge, and these habitats are utilized by this species. The project would have no effect on the clubshell mussel as the project would be located on a small unnamed tributary to the Mad River and best management practices implemented by the applicant would prevent potential downstream impacts due to earthwork disturbances. The project would also have no effect on the Indiana bat as no trees would be removed by the proposed project and filling activities would impact an emergent (non-wooded) wetland and associated open stream corridor. This public notice serves as a request to the USFWS for any additional information they may have on whether any listed or proposed to be listed endangered or threatened species may be present in the area which would be affected by the activity, pursuant to Section 7(c) of the Endangered Species Act of 1972 (as amended).

PUBLIC INTEREST REVIEW AND COMMENT: Any person who has an interest that may be adversely affected by the issuance of a permit may request a public hearing. The request must be submitted in writing to the District Engineer on or before the expiration date of this notice and must clearly set forth the interest which may be adversely affected and the manner in which the interest may be adversely affected by the activity. This application will be reviewed in accordance with 33 CFR 320-331, the Regulatory Program of the U. S. Army Corps of Engineers (USACE), and other pertinent laws, regulations, and executive orders. Our evaluation will also follow the guidelines published by the U. S. Environmental Protection Agency pursuant to Section 404(b) (1) of the CWA. Interested parties are invited to state any objections they may have to the proposed work. The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit that reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors that may be relevant to the proposal will be considered including the cumulative effects thereof; of those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership and, in general, the needs and welfare of the people. Written statements on these factors received in this office on or before the expiration date of this public notice will become a part of the record and will be considered in the final determination. A permit will be granted unless its issuance is found to be contrary to the public interest.

SOLICITATION OF COMMENTS: The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. For accuracy and completeness of the administrative record, all data in support of or in opposition to the proposed work should be submitted in writing setting forth sufficient detail to furnish a clear understanding of the reasons for support or opposition. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest

factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

CLOSE OF COMMENT PERIOD: All comments pertaining to this Public Notice must reach this office on or before the close of the comment period listed on page one of this Public Notice. If no comments are received by that date, it will be considered that there are no objections. Comments and requests for additional information should be submitted to:

Mr. Jim Spence
North Regulatory Section, CELRH-OR FN
U. S. Army Corps of Engineers Huntington District
502 Eighth Street
Huntington, West Virginia 25701-2070.

Please note, the names and addresses of those who submit comments in response to this public notice become part of our administrative record and, as such, are available to the public under provisions of the Freedom of Information Act. Thank you for your interest in our nation's water resources. If you have any questions concerning this public notice, please contact Mr. Jim Spence of the North Regulatory Section at 304-399-5210.


Ginger Mullins
Chief, Regulatory Branch

(O), (L)

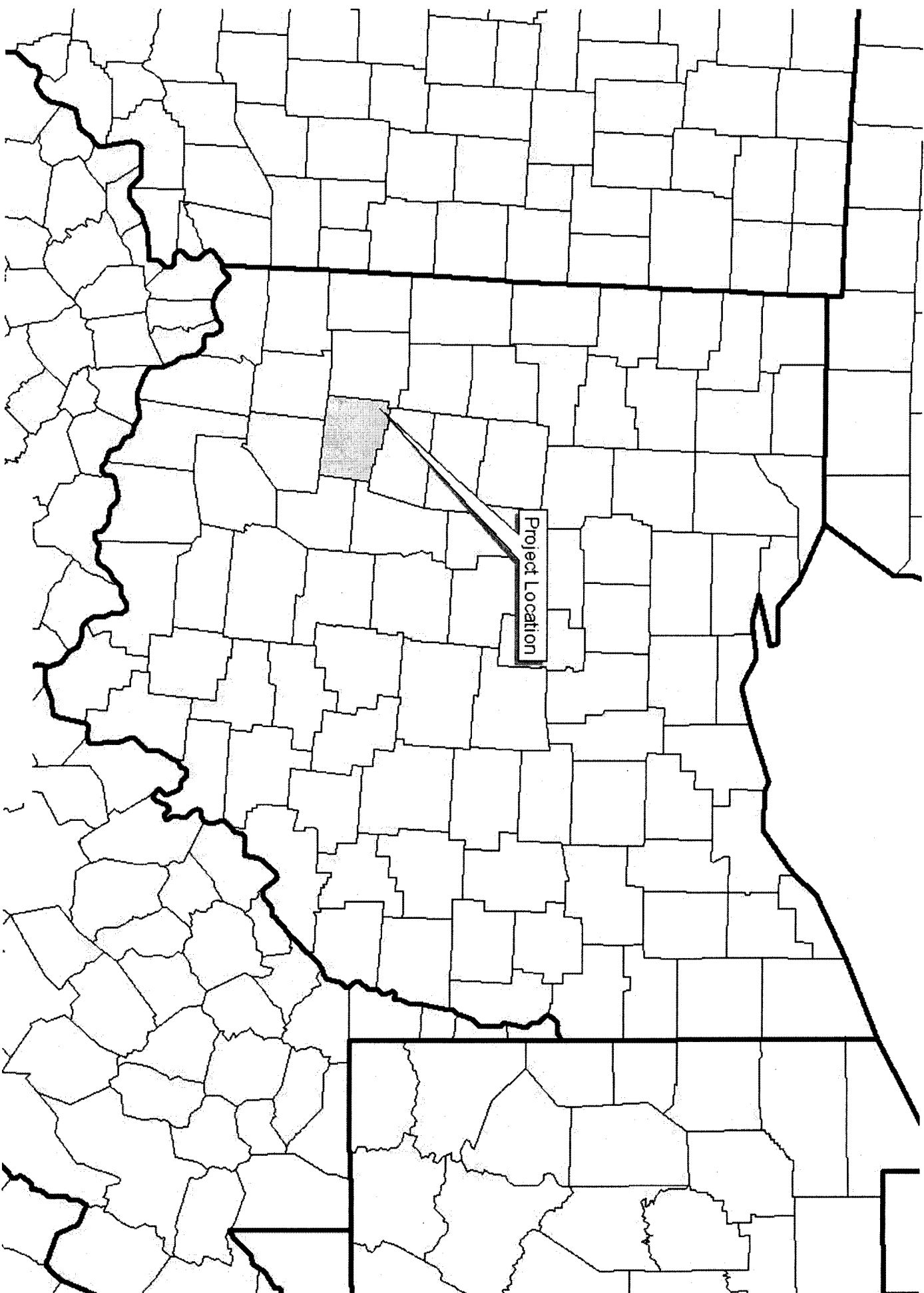


Figure 1 of 7

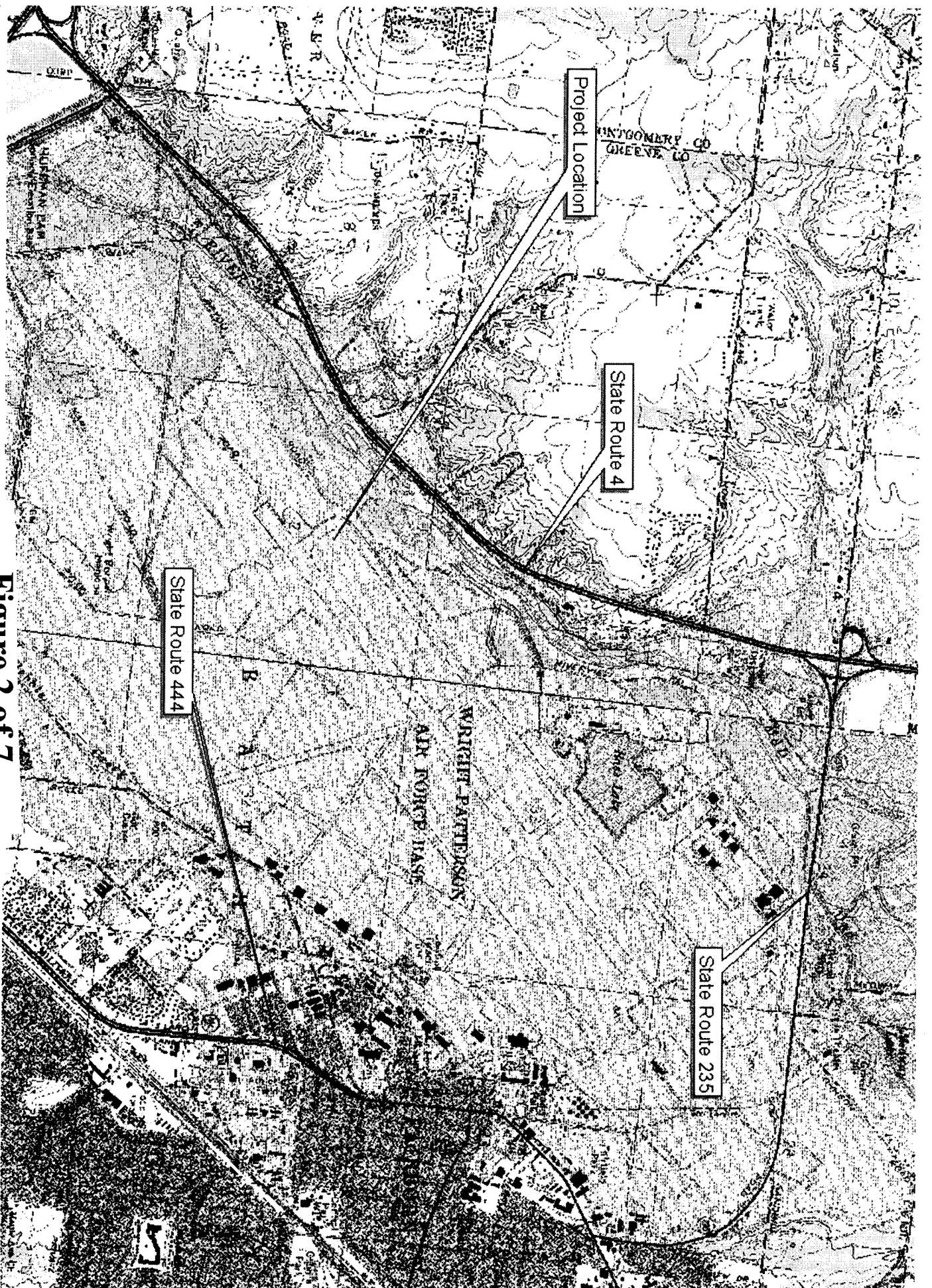
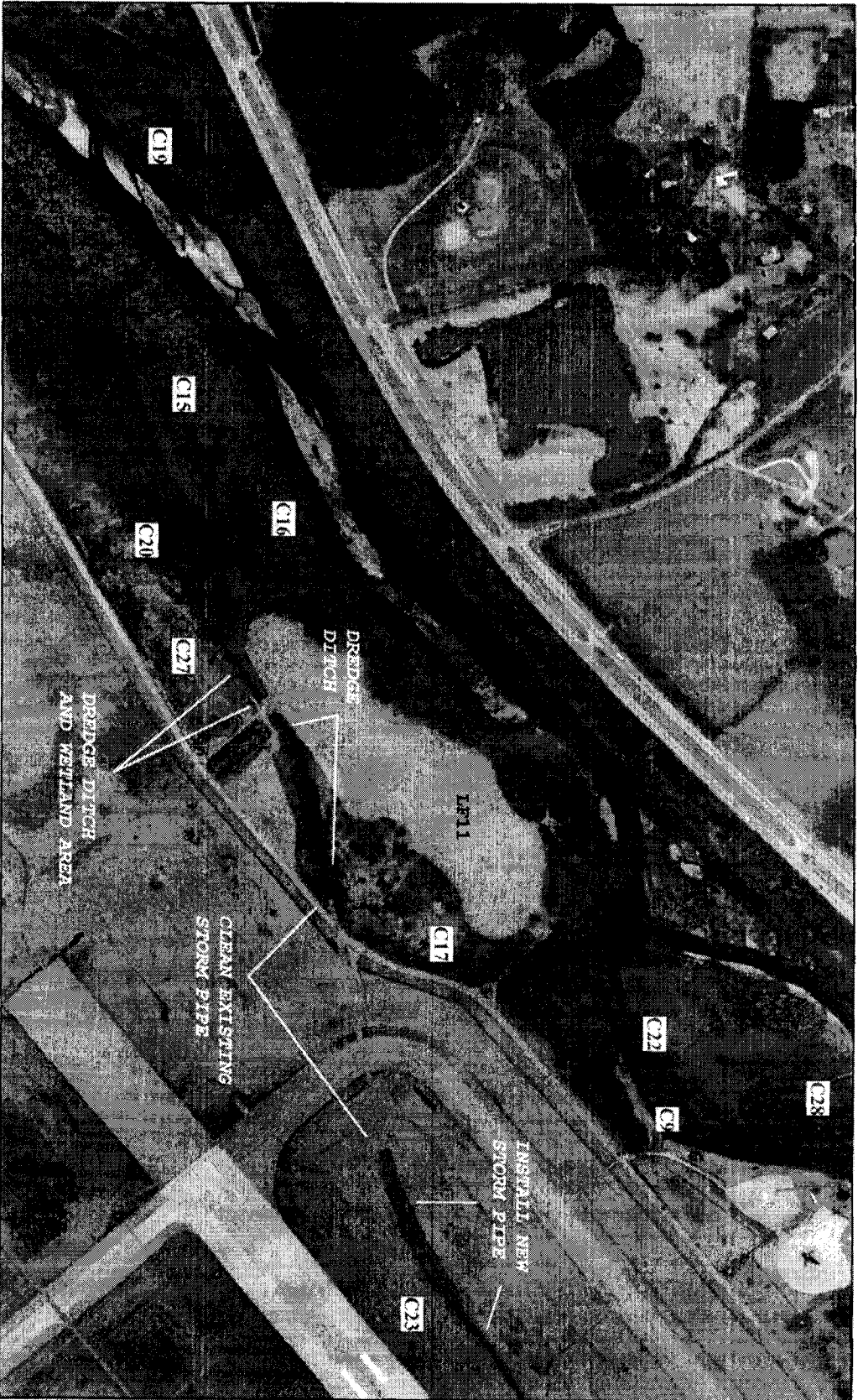


Figure 2 of 7



WPAFB
88 ABW/CEV
ENVIRONMENTAL MANAGEMENT
WETLAND AREAS SITE MAP
Figure 3 of 7

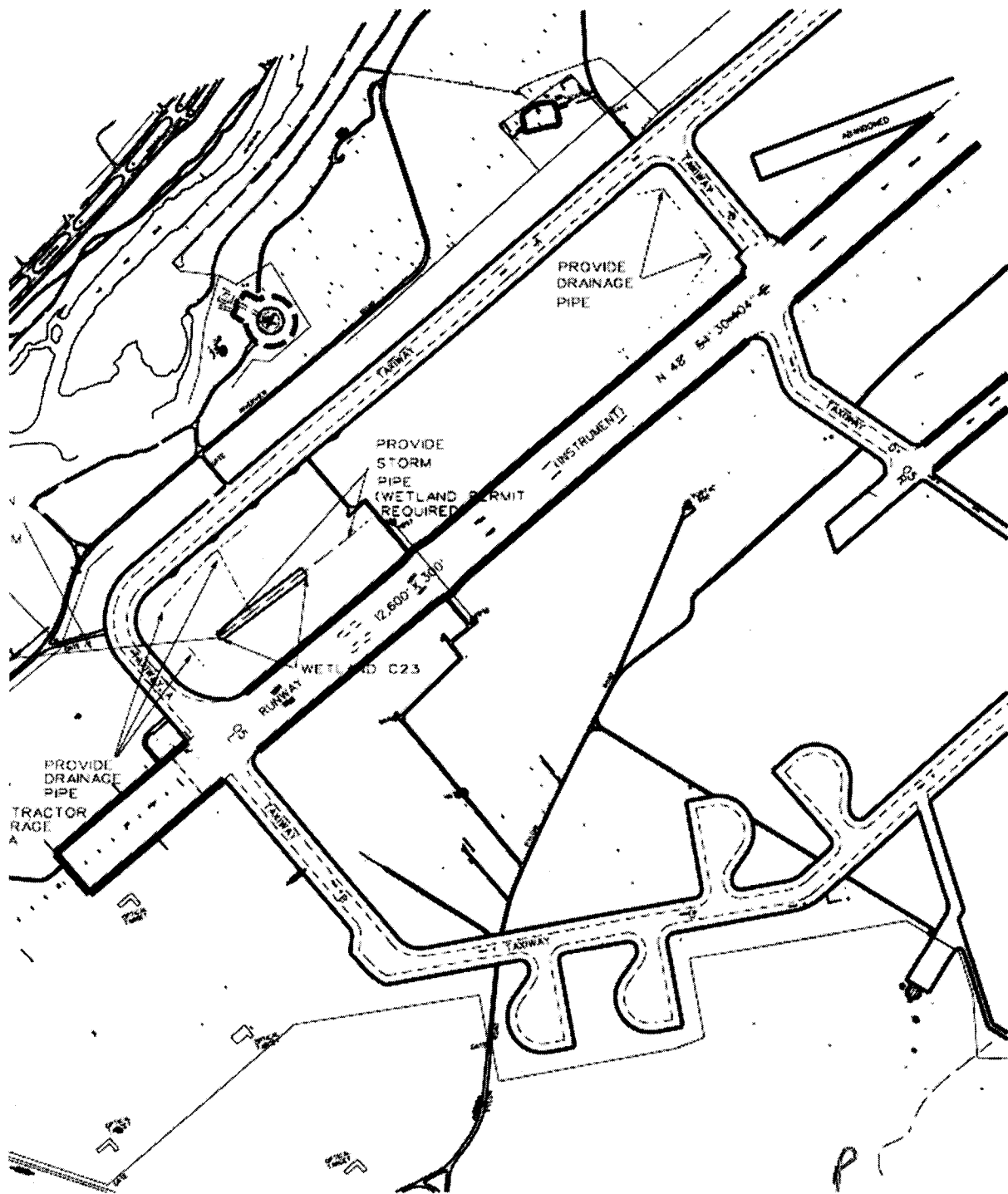


Figure 4 of 7

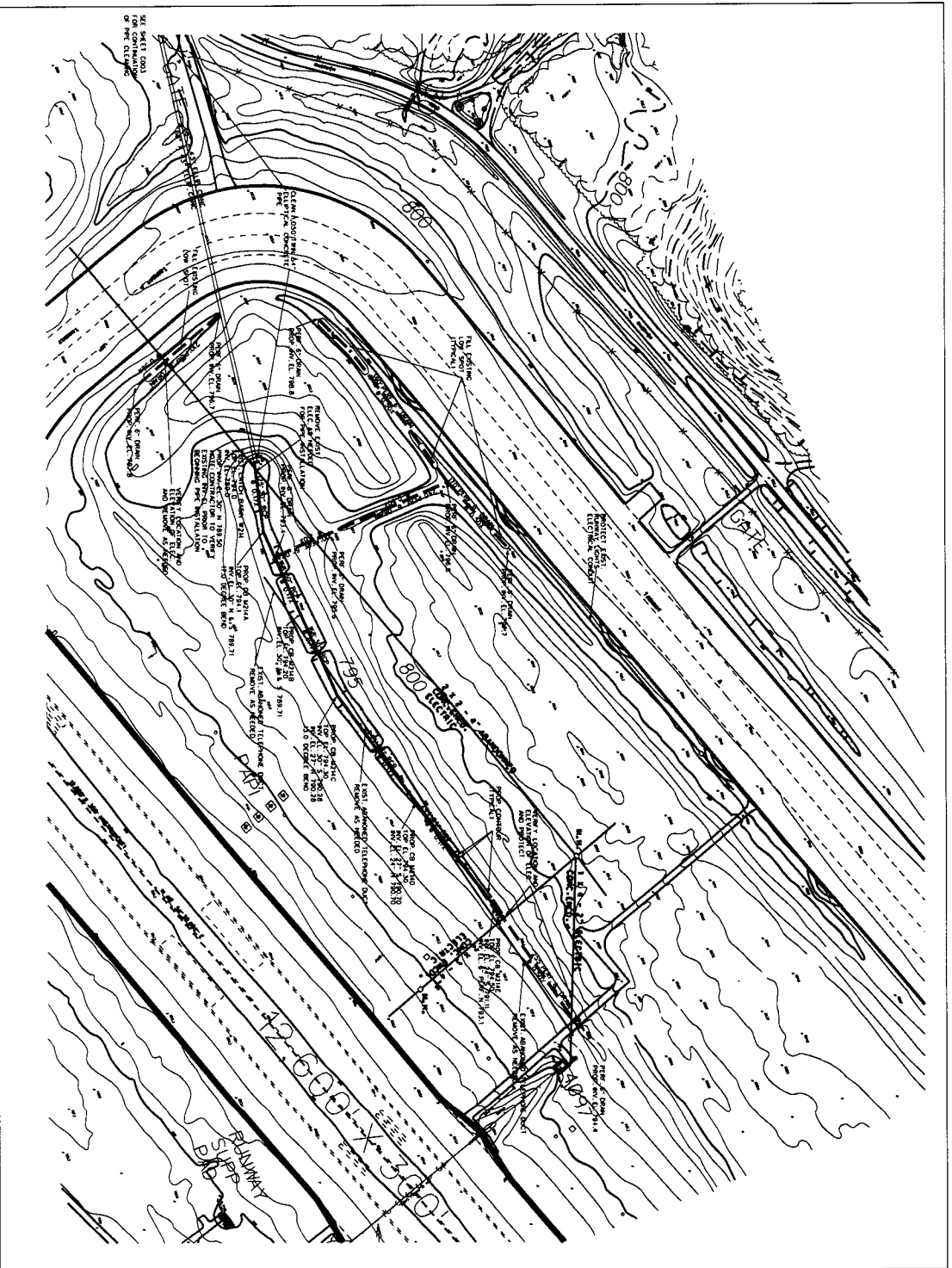


Figure 5 of 7

CONSTRUCTION		SECTION SHEET		SECTION SHEET		SECTION SHEET	
DATE	NO.	REVISION	BY	DATE	NO.	REVISION	BY

WPAFB
WRIGHT-PATTERSON AIR FORCE BASE

PROJECT ZHTV 020008
CORRECT DRAINAGE TAXWAY A
SOUTH PIPING - WETLAND CA3

0004
4 OF 6

USAF
CIVIL ENGINEER



Figure 6 of 7

EXCAVATED FILL TO—
 GRADE
 O.D. 12" x 57.5" OR
 APPROVED FILL PIPE AS
 TOP OF PERM. PIPE D
 TO 2.0' BELOW 801
 PIPE.

